

Notice of Allowability

Application No.

10/000,352

Examiner

Hanh V. Tran

Applicant(s)

DALLMAN ET AL.

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 12/8/04.
2. ☒ The allowed claim(s) is/are 2,4,5,9,11,13,16 and 17.
3. ☒ The drawings filed on 23 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Sean Pryor on Thursday, March 17, 2005.

The application has been amended as follows:

In the Amendment dated 12/08/2005:

Claim 2, line 1, before "wherein" insert --further comprising an item,--;

Claim 4, line 4, replace "vertically disposed" by --adapted to be vertically mounted in the cabinet--;

line 9, after "peripheral rails" insert --, wherein the brackets each have a second end that is mounted within a slide, a slide guide mounted to the slotted strips, wherein the slide moves along the slide guide--;

Cancel claims 6, 7, and 8;

Claim 9, line 1, replace "6, by --4--;

Line 1, replace "brackets" by --slide guide--;

Line 2, after "are" insert --height--;

Claim 11, line 1, before "wherein" insert --further comprising an item,--;

Claim 13, lines 7-8, delete "that engages a mounting means",

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Line 9, after peripheral rails” insert --, wherein the second end of the supporting means is mounted within a slide, a slide guide mounted to the mounting means, wherein the slide guide slidably supports the slide--;

Cancel claims 14 and 15;

Claim 16, line 1, replace “15” by --13--,

Line 2, replace “cabinet” by --mounting means--; and

Cancel claims 18, 19, 20, 21, and 22.

Allowable Subject Matter

2. Claims 2, 4-5, 9, 11, 13, 16-17 are allowed. Claims 4, 5, 9, 11, 13, and 16-17 have been renumbered 1, 3, 4, 6, 5, and 7-8, respectively.

3. The following is an examiner’s statement of reasons for allowance: the prior art of record does not teach or fairly suggest, in combination with all the elements recited in each of the independent claims 1 and 13, each bracket having a first end with a generally U-shaped channel that receives and supports the frame, and a second end that is mounted within a slide, a slide guide mounted to the slotted strips, wherein the slide moves along the slide guide.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bartz, Jr., Battaglia et al, and Carson et al all show structures similar to various elements of applicant's disclosure.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh V. Tran whose telephone number is (703) 308-6302, or (571) 272-6868 starting April 7, 2005. The examiner can normally be reached on Monday-Thursday, and alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (703) 308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVT *HVT*
March 18, 2005

LANNA MAI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Lanna Mai